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6 MARVIN HARRIS, D99649,
7 Petitioner,
8 v.
9 KEN CLARK, Warden,
10 Respondent.

Case No. [20-cv-00679-CRB](#) (PR)

ORDER OF TRANSFER

11 Petitioner seeks federal habeas review of the execution of a sentence imposed by Contra
12 Costa County Superior Court, which lies within the venue of the Northern District of California.
13 See 28 U.S.C. § 84(a). Specifically, he challenges the state courts' denial of his eligibility for a
14 youthful offender parole hearing. Petitioner is incarcerated at California State Prison, Corcoran
15 (CSP – COR) in Kings County, which lies within the venue of the Eastern District of California.
16 See id. § 84(b).

17 Venue is proper in a habeas action in either the district of conviction or the district of
18 confinement, see 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum
19 to review the execution of a sentence. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d
20 244, 249 (9th Cir. 1989).

21 Because Kings County lies in the Eastern District of California, the court ORDERS that
22 pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice,
23 this petition be TRANSFERRED to the Eastern District of California.

24 The clerk shall transfer this matter forthwith.

25 **IT IS SO ORDERED.**

26 Dated: May 8, 2020

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CHARLES R. BREYER
United States District Judge